

110TH CONGRESS
1ST SESSION

S. 249

To permit the National Football League to restrict the movement of its franchises, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 10, 2007

Mrs. FEINSTEIN introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To permit the National Football League to restrict the movement of its franchises, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Football Fairness Act
5 of 2007”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds that—

8 (1) National Football League teams foster a
9 strong local identity with the people of the cities and

1 regions in which they are located, providing a source
2 of civic pride for their supporters;

3 (2) National Football League teams provide
4 employment opportunities, revenues, and a valuable
5 form of entertainment for the cities and regions in
6 which they are located;

7 (3) there are significant public investments as-
8 sociated with National Football League facilities;

9 (4) it is in the public interest to encourage the
10 National Football League to operate under policies
11 that promote stability among its member teams and
12 to promote the equitable resolution of disputes aris-
13 ing from the proposed relocation of National Foot-
14 ball League teams; and

15 (5) National Football League teams travel in
16 interstate to compete and utilize materials shipped
17 in interstate commerce, and National Football
18 League games are broadcast nationally.

19 **SEC. 3. CLARIFICATION OF ANTITRUST LAWS RELATED TO**
20 **RELOCATION.**

21 It shall not be unlawful by reason of any provision
22 of the antitrust laws for the National Football League to
23 enforce rules authorizing the membership of the league to
24 decide that a member club of such league shall not be relo-
25 cated.

1 **SEC. 4. INAPPLICABILITY TO CERTAIN MATTERS.**

2 (a) IN GENERAL.—Nothing contained in this Act
3 shall—

4 (1) alter, determine, or otherwise affect the ap-
5 plicability or inapplicability of the antitrust laws, the
6 labor laws, or any other provision of law relating to
7 the wages, hours, or other terms and conditions of
8 employment of players in the National Football
9 League, to any employment matter regarding play-
10 ers in the National Football League, or to any col-
11 lective bargaining rights and privilege of any player
12 union in the National Football League;

13 (2) alter or affect the applicability or inapplica-
14 bility of the antitrust laws or any applicable Federal
15 or State law relating to broadcasting or telecasting,
16 including section 1 of Public Law 87–331 (15
17 U.S.C. 1291), any agreement between the National
18 Football League or its member teams, and any per-
19 son not affiliated with the National Football League
20 for the broadcasting or telecasting of the games of
21 the National Football League or its member teams
22 on any form of television;

23 (3) affect any contract, or provision of a con-
24 tract, relating to the use of a stadium or arena be-
25 tween a member team and the owner or operator of
26 any stadium or arena or any other person;

1 (4) exempt from the antitrust laws any agree-
 2 ment to fix the prices of admission to National Foot-
 3 ball League games;

4 (5) exempt from the antitrust laws any preda-
 5 tory practice or other conduct with respect to com-
 6 peting sports leagues that would otherwise be unlaw-
 7 ful under the antitrust laws; or

8 (6) except as provided in this Act, alter, deter-
 9 mine, or otherwise affect the applicability or inappli-
 10 cability of the antitrust laws to any act, contract,
 11 agreement, rule, course of conduct, or other activity
 12 by, between, or among persons engaging in, con-
 13 ducting, or participating in professional football.

14 (b) ANTITRUST LAWS.—As used in this section, the
 15 term “antitrust laws” has the meaning given to such term
 16 in the first section of the Clayton Act (15 U.S.C. 12) and
 17 in the Federal Trade Commission Act (15 U.S.C. 41 et
 18 seq.).

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